

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELVIS MANUEL RUVALCABA,

Defendant.

Case No.: 2:12-cr-00290-GMN-CWH

**ORDER**

The Defendant, by and through the Federal Public Defender, has filed a Motion (ECF No. 28) requesting appointment of counsel and suggesting to the Court that he may be eligible for discretionary relief pursuant to 18 U.S.C. § 3582(c)(2). Accordingly,

**IT IS HEREBY ORDERED** that the Federal Public Defender is appointed as counsel to represent the Defendant *nunc pro tunc* to the date of the filing of the Motion.


**IT IS FURTHER ORDERED** that the Probation Office shall provide the Federal Public Defender and the government with the Defendant's Presentence Report; shall generate the Defendant's current Inmate Profile (also known as a "Sentry Report"); and shall prepare a Supplemental Presentence Report addressing whether, in the Probation Office's assessment, the Defendant is statutorily eligible for a sentence reduction pursuant to Guidelines Amendment 782, and further advising the Court of the applicable and recommended guideline range. The Probation Office will serve the Presentence Report and Supplemental Presentence Report on the Federal Public Defender, the United States Attorney, and the Court, and shall be prepared to meet and confer with the Federal Public Defender and the United States Attorney to discuss the Sentry Report, within thirty (30) days of the date of this Order.

**IT IS FURTHER ORDERED** that the United States Attorney or the Federal Public

1 Defender may, within thirty (30) days after receiving those Reports from the Probation Office,  
2 request that the Probation Office provide the Defendant's Progress Report and Disciplinary  
3 Records from the Bureau of Prisons. If the United States Attorney or the Federal Public  
4 Defender makes such a request, the Progress Report and Disciplinary Records shall be served  
5 on the Federal Public Defender, the United States Attorney, and the Court within thirty (30)  
6 days after receiving the request unless for good cause the time is extended.

7 **IT IS FURTHER ORDERED** that the Federal Public Defender shall, within one  
8 hundred twenty (120) days of this Order, file any appropriate motion or stipulation. If the  
9 Federal Public Defender files a motion for a sentence reduction pursuant to Guidelines  
10 Amendment 782, the United States Attorney shall serve any response to such motion within  
11 thirty (30) days of the filing of that motion unless for good cause the time is extended.

12 **DATED** this 19th day of December, 2014.

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16 Gloria M. Navarro, Chief Judge  
17 United States District Court  
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